

OFFICE OF PROFESSIONAL ACCOUNTABILITY REVIEW BOARD
Second Quarterly Report
January 2003

I. INTRODUCTION

The Office of Professional Accountability Review Board (OPARB or the Board) presents its second quarterly report. The Board's establishing mandate, per City of Seattle Ordinance #120728 is twofold:

- "to establish independent review of the Office of Professional Accountability (OPA) complaint handling process in a manner that will have the confidence of the general public, police officers, and complainants"; and
- "to enhance the credibility of the Office of Professional Accountability and the OPA investigation process."

OPARB began its work in the first week of May 2002. The first report covered the months May through August [See OPARB 1st Quarterly Report, September 30, 2002]. During that time, OPARB focused on establishing relationships and dialogue with diverse members of the community, City officials, and police officers.

Our early emphasis focused on three areas:

- understanding the governmental context;
- reaching out to diverse groups in the community; and
- engaging in outreach with the police.

In this second report, we focus on monitoring OPA processes, continuing our community outreach; and furthering our education and training.

II. MONITORING OPA PROCESSES

OPARB's core mandate is to develop processes to monitor the OPA. During this second quarter, we have focused on ways that the system of police accountability can be strengthened. We believe this is in the community's best interests: the citizenry is helped to build trust in its police officers, and law enforcement officers are provided tools to better do their jobs.

OPARB's oversight of OPA's police accountability system proceeds as follows:

a) Closed Case Review

We are reviewing samples of closed, redacted cases provided to us at our request by the OPA Director. As we review these files, we look for overall police accountability issues, e.g., the manner in which complainant responses are handled, and possible areas for improvement. In the process we are developing a template so that in the future all cases can be analyzed in a consistent manner. The report that is generated from this process will thus have a consistent format accessible for all users.

b) Review of Complaint Classification System

We are studying the complaint classification system (contact log, supervisory referrals, line investigations, OPA/IIS investigations) used by the OPA upon its initial receipt of citizen complaints to determine possible questions, issues and concerns. Again, we are developing a standardized way to review these citizen complaints, with reporting mechanisms that can be utilized by future board members, and readers of the reports.

c) Review of Citizen Complaints Submitted Directly to OPARB

Citizens sometimes send copies of complaints directly to OPARB, as well as to OPA. OPARB does not solicit citizen complaints; when they are received directly by the Board, they are referred to OPA for disposition.

d) Review of Roles and Functions of the OPA Director, the OPA Auditor and Internal Affairs Staff

- *Monthly OPA meetings*

We have initiated several meetings with the OPA Director and Deputy Director. We have also met with several of the officers playing key roles in the Internal Investigations Section (IIS). We have received and reviewed their monthly reports and meet with them on a regular basis. We also use these meetings for analysis of processes used in specific cases. In response to our legal mandate to provide oversight of the OPA system, we are developing a systematic process to assess the office. This includes, but is not limited to a method to collect and review data presented by the OPA.

- *Quarterly OPA/ Auditor/ OPARB Roundtables*

We have held the first of planned quarterly roundtable meetings with OPARB, the OPA Director and the OPA Auditor. These roundtables help us understand the various functions of our three entities and to assess the effectiveness of tri-partite system. Our goal is to build a team that avoids operational redundancies and works together to promote police accountability in the City of Seattle.

- *OPA Oversight--Next Steps*

1. We are developing criteria for the random sampling of the closed, redacted cases we regularly review to ensure that our conclusions are statistically significant.

2. We are studying OPA's complaint classification system to determine its appropriateness and effectiveness.

3. We are reviewing historical reports, including prior recommendations of citizen groups and panels, on the subject of police accountability. We plan to systematically assess each report, and the recommendations contained

therein, to determine their current applicability, as well as the extent to which the recommendations have been implemented.

III. CONTINUING COMMUNITY OUTREACH

OPARB continues to reach out to local stakeholders. The overall goal is to increase the public's confidence that citizen complaints regarding police conduct in Seattle will be handled fairly.

Local Community

The Board continues to meet with both individuals and groups. In this quarter, Board members have attended a Restorative Juvenile Justice Workshop, and a Metropolitan Democratic Club meeting, as well as meeting with directors of the YMCA Black Achievers. In all our community outreach activities, we will continue to provide quarterly reviews to all stakeholders, which incorporate feedback, areas of interest, or any recommendations that bear upon community concerns with the general issues of police accountability.

The Board has begun its goal of enhancing the visibility of the entire OPA system. We have developed a special brochure [enclosed] in which we describe the role and functions of the Review Board, the OPA Office and the OPA Auditor. We further describe the ways in which citizens may contact the police to file commendations or complaints. We have developed an OPARB web page where a citizen can learn more about OPARB, read copies of our reports and obtain links to the parts of the OPA system. We intend to solicit feedback to these documents to be sure that we are responsive to perceived errors or omissions that might be of concern to community or to law enforcement personnel.

City

During this quarter, the Board met with members of the Mayor's staff; gave two presentations to Council's Police, Fire and Technology committee; and established monthly meetings with the committee chair. We intend to institutionalize these meetings on a regular basis.

Police

The Board made a presentation to Seattle Police Department (SPD) Command Staff. Individual board members attended SPD community outreach meetings in the North, East and South precincts. Board members have met with the Community Policing Action Council (SeaPac), and with several SPD Precinct Councils. The Board also met with the Seattle Police Officers Guild (SPOG) Executive Board, and we plan to meet with SPOG leadership and members on a periodic basis.

National Outreach

Nationwide, cities have grappled with many of the same police accountability issues Seattle faces. We plan to learn from these experiences and avoid their mistakes, wherever possible.

Accordingly Board members attended the three-day conference of the National Association for Citizen Oversight of Law Enforcement (NACOLE) in Cambridge, Massachusetts, from October 30 - November 2, 2002. We made many invaluable contacts and learned of differing strategies and models of civilian oversight.

The Review Board also visited Portland, Oregon on December 5 - 6, to gain insight into the role of their City Auditor, Citizen Review Board, and their joint efforts with the Portland Police Department.

A Board member spent time with members of the New York Civilian Review Board staff and learned about their experiences in mediation, and outreach to young people.

Outreach--Next Steps

1. Earlier this month we sent an extensive mailing to all stakeholders with enclosures relating to board brochure, reports, and web site information. We welcome invitations to meet with groups and interested individuals.
2. The Board is working with SPD training staff to arrange for special use-of-force training in January 2003.
3. Upon our request, several SPD Precinct Captains have invited Board members to attend SPD roll calls.

IV. SPECIAL PROJECT: USE OF FORCE ISSUES

As identified in our prior quarterly report, an understanding of the "use of force policy" currently in use by the Seattle Police Department is an area of great interest for the Board. During this past quarter all three members of the board undertook police training on the use of force. While we continue our education into the policies and tactical considerations underlying the use of force, the Board intends to stay focused on how use of force issues impact OPA policy and procedures.

As we pursue our studies of the use of force issues in all its implications, we intend to work with all affected stakeholders, from the community and from law enforcement, to address philosophical and structural issues that may arise. If we determine that recommendations for change are called for, we will report on our progress in future quarterly reports and, where appropriate, institute meetings and focus groups to discuss these findings. We fully expect this to be a long-term project that will involve on-going collaboration with the OPA director, OPA auditor, law enforcement personnel, members of the City Council, the executive branch of city government and concerned citizens.

V. FUTURE PLANS

The Board has begun a process of strategic planning to develop both short and long-range goals. Currently, our short-term goals are as follows:

- Complete our assessment of the current OPA complaint classification system;
- Develop recognized, clear criteria for selection of OPA cases for Board review and analysis;
- Clarify the roles of the OPA Director, OPA Auditor and OPA Review Board;
- Evaluate and expand our community outreach efforts;
- Design a structured plan for Review Board outreach to the SPD rank and file.